THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 15707 of 2007

DATE: 24-07-2007

Between :

L.Jayalakshmi

... Petitioner

And

The Joint Collector (FAC),
Kadapa District and 2 others.

... Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 15707 of 2007

ORDER:

The petitioner is the authorized dealer of the fair price shop of Cheruvumundarapalli village, Ramapuram Mandal, Kadapa District. The petitioner's authorization was cancelled vide proceedings of the second respondent-Revenue Divisional Officer, Kadapa dated 07-05-2007 after conducting due enquiry. Aggrieved by the same, the petitioner filed an appeal before the first respondent-Joint Collector. The first respondent having entertained the appeal, by order dated 20-06-2007 rejected the application for stay. Challenging the said order, dated

20-06-2007, this writ petition is filed contending inter alia that the impugned order which was passed without assigning any reason is arbitrary and illegal.

I have heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies appearing for the respondents.

A perusal of the order of cancellation dated 07-05-2007 shows that as many as five charges were framed against the petitioner and all the said charges were held proved. It is pertinent to note that the allegations included mis-utilisation of the essential commodities and sale of the essential commodities at higher rates.

Having regard to the facts and circumstances, the first respondent, while observing that there are no valid grounds to stay the operation of the order of cancellation, rejected the application for stay. I do not find any justifiable reason to hold that the said order is either

arbitrary or illegal. Therefore, interference by this Court is not warranted.

Having regard to the facts and circumstances, the writ petition is disposed of with a direction to the first respondent to dispose of the appeal pending on his file as expeditiously as possible preferably within a period of six weeks from the date of receipt of a copy of this order following due process of law. No costs.

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G. ROHINI, J.

Date:24-07-2007

Note: Issue C.C. in three days.

B/o

KLP